UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS WICHITA FALLS DIVISION

GLENN PAGE, INDIVIDUALLY § AND D/B/A GLENN PAGE §	
AND D/R/A CLENN PACE 8	
AND DIDIA GLENN LAGE	
CONSULTING, §	
§	
Plaintiff, §	
§ Civil Action No. 7:12 ov 0042	_
v.	U
Š	
JIMMY CLEVELAND, §	
INDIVIDUALLY AND D/B/A §	
CLEVECO CONSULTING, §	
, , , , , , , , , , , , , , , , , , ,	
Defendant. §	
§	
S	

ORDER

Following a bench trial and the entry of judgment in his favor in the amount of \$146,051.97 on his breach of contract claim, Plaintiff moves for an award of \$25,440.00 in attorney's fees and \$1,318.66 in litigation costs. ECF No. 64. Specifically, Plaintiff seeks attorney's fees for the services of his counsel, Brett L. Myers, at the hourly rate of \$300.00 for 84.8 hours on this case. In support of fees and costs, counsel has submitted a Declaration and supporting documentation of billable hours, costs, and expenses. *See* Declaration of Brett Myers and Exhibits thereto, ECF No. 64-2.

As the prevailing party on his breach of contract claim, Plaintiff is entitled to recover attorney's fees under Tex. Civ. Prac. & Rem. Code § 38.001. Having considered the motion, Declaration of Brett Myers, and evidence presented, the Court finds that, based on his experience and qualifications, and considering the prevailing rates in the community for similar services, Myers'

\$300 hourly rate is reasonable and he reasonably expended 84.8 hours representing Plaintiff.¹ *See generally Primrose Operating Co. v. Nat'l Ins. Co.*, 382 F.3d 546, 562 (5th Cir. 2004) ("[T]rial courts are considered experts as to the reasonableness of attorney's fees[.]"). Plaintiff has also submitted evidence supporting litigation costs in the amount of \$1,318.66.

Accordingly, the Court **grants** Plaintiff's Motion for Attorney's Fees and Costs, awarding him the sum of \$25,440.00 in attorney's fees and the sum of \$1,318.66 in nontaxable litigation costs.

SO ORDERED this 19th day of September, 2014.

Reed O'Connor

UNITED STATES DISTRICT JUDGE

¹ Evidence presented shows that Brett Myers' actual billable rate is \$425.00, but that he and Plaintiff agreed to a discounted rate of \$300.00. Decl. of Meyers ¶4, and Fee Agreement attached.